

AF
SF



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Andreas Jakob
Appln. No. : 10/054,479
Filed : January 22, 2002
Title : METHOD FOR ESTABLISHING A BINAURAL
COMMUNICATION LINK AND BINAURAL HEARING
DEVICES

Conf. No. : 6519
TC/A.U. : 2643
Examiner : Suhan Ni

Customer No. : 000,116
Docket No. : 34351

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INTERVIEW SUMMARY

Sir:

This paper is filed to summarize an interview between the Examiner and applicants representative conducted on May 8, 2006, in response to the Office action of December 19, 2005. A response to that action has already been filed on April 19, 2006.

Remarks begin on page 2 of this paper.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Robert F. Bodin

Name of Attorney for Applicant(s)

May 17, 2006

REMARKS

Applicants would like to thank the examiner for the personal interview conducted on May 8, 2006. This paper is provided in response thereto.

At the personal interview, the Feng reference was discussed with respect to the independent claims. It was pointed out by applicant's representative that nowhere does Feng discuss the use of *both* a wire *and* the user's body to act as an electrical conductor for connecting two hearing devices. This difference was pointed out in detail in the previously filed response to the outstanding Office action.

The Examiner agreed that Feng did not explicitly teach the cited limitations, and the Examiner also agreed that the Feng design appeared to use the user's body alone for transmitting a plurality of modulated signals between devices, and that no use of both the body for one conductor *and* a wire for another conductor to make an electrical connection between devices was disclosed. The Examiner also agreed that the provided motivation in the Office action for the obviousness rejections was probably not sufficient to make a *prima facie* case of obviousness.

Accordingly, the Examiner agreed to re-visit the rejections in light of the arguments provided in the filed response (and discussed at the interview), and he also agreed that a further search of the prior art would probably be necessary to support a rejection of the claims.

In consideration of the foregoing analysis, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for

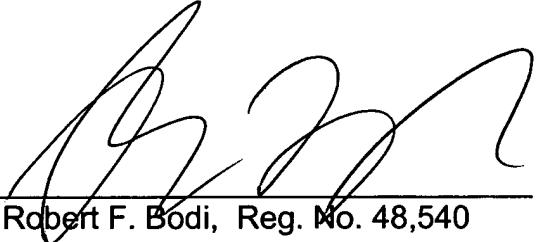
allowance, the examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 34351.

Respectfully submitted,

PEARNE & GORDON, LLP

By:


Robert F. Bodi, Reg. No. 48,540

Dated: May 17, 2006

1801 East Ninth Street
Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700

Jeanne P. Liptay

From: Robert F. Bodi
Sent: Tuesday, May 16, 2006 4:05 PM
To: Jeanne P. Liptay
Subject: TSW 34351

We need to file an Interview Summary and report it out for this case. I have drafts in the working directory. I do not seem to have this file, so you will need to retrieve it (Jean probably has it). Note that you need to add the date of the instruction letter (instructing an interview) to the report letter. Also, check to see if we have received an interview summary from the Examiner. If so, you must update the report letter to fix where I say we have not yet received the summary, and then you must include a copy of the summary with the report letter.

-Bob